

Section IX: FY 2002 RECAP OECA Performance Measures: FIFRA/TSCA/EPCRA

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FY 2000/2001 FIFRA RECAP Measures:

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comments	Reason For Measure
FIFRAINV	Total Number of Investigations ¹	No	Manual		NPMS Set 8/GPRA FY2001 Annual Performance Goal Measure 915
FIFRACC	Total Number of Citizen Complaints	No	Manual		NPMS Set 8

¹The 1991 Pesticides Inspection Manual as “investigations are conducted in response to reported or suspected incidents to develop the necessary evidence to support any enforcement action that may be taken as a result of an apparent pesticide misuse. Follow-up FIFRA/TSCA investigations tend to be more complex than use inspections since they may involve visiting multiple sites, interviewing more persons, and/or collecting samples of various types.

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FY 2000/2001 FIFRA RECAP Measures:

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comments	Reason For Measure
FIFRAINS-1	# of EPA FIFRA inspections ²	None	NCDB	<p>Facility Function = Broker (BK), Certified Commercial Applicator (CA), Dealer (DL), Distributor (DT), Laboratory (LB), Marketplace (MK), Other Parties (OP), Certified Private Applicator (PA), Producer (PD), Port of Entry (PT), Registrant (RG), RUP Dealer (RU), Uncertified Applicator (UA), User (US) <u>and</u></p> <p>Investigation Types: EUP Experimental Use Permit FTR Section 7, Failure to Report MPT Import RGA Use Restricted/General Agriculture RGN Use Restricted/General Non-Agriculture RRV Records Review UGA Use General Agriculture UGN Use General Non-Agriculture URA Use Restricted Agriculture URN Use Restricted Non-Agricultural XPT Export</p>	GPRA/Annual Performance Goals Measure (APGM) #275

²We will pull on the same inspections for state and federal inspections except that currently NCDB does not have a field for Federal Agricultural Follow-up Inspections.

FY 2000/2001 FIFRA RECAP Measures:

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comments	Reason For Measure
FIFRAINS-2	# of state FIFRA inspections	None	NCDB: Cooperative Agreement inspections as reported on Form 5700-H	Grant Types: AGFOLLOW (Agricultural Followup) AGUSE (Agricultural Use) NAGFOLLOW (NonAgricultural Followup) NAGUSE (NonAgricultural Use) MARKET (Marketplace) CERT_APPL (Certified Applicator) PRO_ESTAB (Producer) EXPERIMENT (Experimental Use) RUP_DEALER (Restricted Use Pesticide Dealer) IMPORT (Imports) EXPORT (Exports)	State Core Performance Measure.

Federal Enforcement Outputs:

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/comments	Reason For Measure
EONOVF	# of Federal NOV(Letters of Warning) in the FIFRA program	None	FTTS through NCDB	14W 14(A)(2) Notice of Warning 9WR 9(C)(3) Notice of Warning ADL Advertising/Advising Letter FRE Formal Recall IRE Informal Recall NOD Notice of Detention NOI Notice of Intent to Terminate NOV Notice of Violation	NPMS Measure Set 9

FIFRA Civil Enforcement Outputs: Consent Decree Tracking

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/comments	Reason For Measure
EOCDF1	# of FIFRA Active Consent Decrees (by media)	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/ CDETS	CDETS-Quarterly Compliance Report. SPMS Data Report	OECA Management
EOCDF2	# of FIFRA Active Consent Decrees in Compliance	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/ CDETS	OCOM=Y	OECA Management
EOCDF3	# of Active Consent Decrees in Violation where Formal Enforcement Action has commenced	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/ CDETS	OCOM=T	OECA Management
EOCDF4	# of Active Consent Decrees in violation with Formal Action planned but not commenced	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/ CDETS	OCOM=P	OECA Management

FIFRA Federal Enforcement Outputs: Civil Case Initiations

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comments	Reason For Measure
EOCIFO	# of Notices of Determination	None	Docket/Applies to audit cases	ACTY=G	GPRA/FY2001 Annual Performance Goal Measures (APGM) #272
EOCIF1	# of Civil Judicial Referrals	None	Docket/Includes multi-media and multi-facility credits	CDOJ	APGM #272

EOCIF2	# of Administrative Penalty Order Complaints	None	Docket/Includes multi-media and multi-facility credits	ACTY=B	APGM #272
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FIFRA Federal Enforcement Outputs: Civil Case Conclusions

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comments	Reason for Measure
EOCCF1	# of Civil Judicial Cases Concluded	None	Docket	ACTY=a CCNC	APGM #272
EOCCF2	# of Compliance Orders (Non-Penalty)	None	Docket	ACTY=f	APGM #272
EOCCF3	# of Final Administrative Penalty Orders Issued	None	Docket	ACTY=b	APGM #272
EOCCF4	# of Final Federal Facility Compliance Agreements Issued	None	Docket	ACTY=d	APGM #272
EOCCF5	# of Field Citations Resolved	None	Docket	ACTY=e	APGM #272

FIFRA State Enforcement Outputs: State Enforcement Actions

Measure Code	Measure	New Reporting	Data Source	Data Fields/Comments	Reason for Measure
EOSF1	# of State Administrative Compliance or Penalty Orders Issued	None	FTTS through NCDB	Form 5700-33H category 1: significant enforcement actions-- Civil Complaints, Criminal Action Referred, License/Certificate Conditioning or Modification, License/Certificate Revocation, License/Certificate Suspension; and category 2: stop-sale orders -- Stop Sale, Seizure, Quarantine or Embargo	State Core Performance Measure.

FY 2000/2001 TSCA RECAP Measures:

Measure Code	Measures	New Reporting	Data Source	Key Data Fields	Reason for Measure
TSCA Compliance Monitoring Measures					
TSCAINV	Total Number of Investigations	None	Manual		NPMS Set 8/GPRA FY2001 Annual Performance Goal Measure 915
TSCACC	Total Number of Citizen Complaints	None	Manual		NPMS Set 8
TSCA Inspections					
TSCA INS-1	# of EPA TSCA inspections ³	None	NCDB	Investigation Type: 13I Section 13 Importer Inspection 2XP Section 12 Export 4CI Section 4 Inspections 4LP Section 4, Good Laboratory Practices 5CE* Section 5 Chemical Substance Exemption 5CI Section 5 Inspections 5EF* Section 5 (E) of (F) Order 5FN* Section 5 Failure to Notify 5PM* Section 5 Premanufacture Notice 5SU* Section 5 Significant New Use Rule 5TM* Section 5 Test Marketing Exemption	FY 2000/2001 Annual Performance Goal Measure (APGM) # 275

³For Sections 5, 6 and 8, continue to report under the subcategories but multiple inspections within the same section on the same day will get one inspection count. Program inspections that will be “rolled-up” are asterixed above.

FY 2000/2001 TSCA RECAP Measures:

Measure Code	Measures	New Reporting	Data Source	Key Data Fields	Reason for Measure
TSCAINS-1cont...	# of EPA TSCA inspections ⁴	None	NCDB	Investigation Type: 6AA* Section 6 Asbestos SEE Conducted 6AF* Section 6 Asbestos Federal Conducted 6CI Section 6 Inspections 6CR* Section 6 Hexavalent Chromium 6DX* Section 6 Dioxin 6PA* Section 6 PCB SEE Conducted 6PF* Section 6 PCB Federal Conducted 6WA* Section 6 Asbestos Worker Protection SEE 6WF* Section 6 Asbestos Worker Protection Federal 8CI Section 8 Confidential Inspections 8CR* Section 8C Records Rule 8HS* Section 8D Health and Safety Studies 8LA* Section 8A Level A Rule 8NV* Section 8 Inventory Rule 8SR* Section 8E Substantial Risk ACO Asbestos ASHAA Close Out AEA AHERA, Enforcement, SEE Conducted AEF AHERA, Enforcement, Federal Conducted AMA Asbestos, MAP Enforcement, SEE AMF Asbestos, MAP Enforcement, Federal AON Asbestos, ASHAA ongoing APA Asbestos, ASHAA Pre Award AUN Asbestos, ASHAA Unfunded	APGM # 275

⁴For Sections 5, 6 and 8, continue to report under the subcategories but multiple inspections within the same section on the same day will get one inspection count. Program inspections that will be “rolled-up” are asterixed above.

FY 2000/2001 TSCA RECAP Measures:

Measure Code	Measures	New Reporting	Data Source	Key Data Fields	Reason for Measure
TSCAINS-1cont...	# of EPA TSCA inspections cont....	None	NCDB	Investigation Type: L2A Lead, Section 402, SEE L2F Lead, Section 402, Federal L4A Lead, Section 404, SEE L4F Lead, Section 404, Federal L6A Lead, Section 406, SEE L6F Lead, Section 406, Federal L8A Lead, Section 1018, SEE L8F Lead, Section 1018, Fed	APGM # 275
TSCAINS-2	# of State TSCA inspections	None	NCDB	Investigation Type: 6AS Section 6 Asbestos State Conducted 6CS State Hexavalent Chromium 6PS Section 6 PCB State Conducted 6WS Section 6 Asbestos Worker Protection State AES AHERA, Enforcement, State Conducted AMS Asbestos, MAP Enforcement, State L2S Lead, Section 402, State L4S Lead, Section 404, State L6S Lead, Section 406, State	State Core Performance Measure

TSCA Enforcement Outputs: Notices of Violation

Measure Code	Measure	New Reporting	Data Source	Data Fields/Comments	Reason For Measure
EONONT	# of Federal NONs in the TSCA program (i.e. PCB, Core TSCA, AHERA, Lead 402/406)	None	FTTS through NCDB	NON Notice of Noncompliance APN AHERA Pilot NON Program FNS Significant Federal NON-Major or Minor Action FNN Federal Notice of Noncompliance	NPMS Set 9
EONONL	# of Federal NONs in the TSCA Section 1018 Lead Program	None	FTTS through NCDB	NON Notice of Noncompliance APN AHERA Pilot NON Program FNS Significant Federal NON-Major or Minor Action FNN Federal Notice of Noncompliance	NPMS Set 9

FY 2000/2001 TSCA RECAP Measures:

Measure Code	Measures	New Reporting	Data Source	Key Data Fields	Reason for Measure
Enforcement Outputs: Consent Decree Tracking					
EOCDT1	# of Active Consent Decrees (by media)	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/CD ETS	CDETS-Quarterly Compliance Report. SPMS Data Report	OECA Management
EOCDT2	# of Active Consent Decrees in Compliance	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/C DETS	OCOM=Y	OECA Management
EOCDT3	# of Active Consent Decrees in Violation where formal enforcement action has commenced	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/C DETS	OCOM=T	OECA Management
EOCDT4	# of Active Consent Decrees in violation with formal action planned but not commenced	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/C DETS	OCOM=P	OECA Management
EOCDT5	# of Active Consent Decrees in violation with no formal enforcement action planned or necessary	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/C DETS	OCOM=V	OECA Management

FY 2000/2001 TSCA RECAP Measures:

Measure Code	Measures	New Reporting	Data Source	Key Data Fields	Reason for Measure
EOCDT6	# of Active Consent Decrees for which current status is unknown or not reported	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/CDETS	OCOM=X	OECA Management

TSCA Federal Enforcement Outputs: Civil Case Initiations

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comments	
EOCIT0	# of Notices of Determination	Yes	Docket	New field in docket, should replace federal use of FTTS field CCA–Civil Complaint Audit Policy ACTY=G	GPRA/FY 2001 Annual Performance Goals Measure (APGM) #272
EOCIT1	# of civil judicial referrals	None	Docket	CDOJ Includes multi-media and multi-facility credits	APGM #272
EOCIT2	# of administrative penalty order complaints	None	Docket	ACTY=b Includes multi-media and multi-facility credits	APGM #272

TSCA Enforcement Outputs: Civil Case Conclusions

Measure Code	Measure	New Reporting	Data Source	Key Data Fields	Reason for Measure
EOCCT1	# of civil judicial cases concluded	None	Docket	ACTY=a CCNC	APGM #272
EOCCT2	# of compliance orders (non-penalty)	None	Docket	ACTY=f	APGM #272

FY 2000/2001 TSCA RECAP Measures:

Measure Code	Measures	New Reporting	Data Source	Key Data Fields	Reason for Measure
EOCCT3	# of final administrative penalty orders issued	None	Docket	ACTY=b	APGM #272
EOCCT4	# of final federal facility compliance agreements issued	None	Docket	ACTY=d	APGM #272
EOCCT5	# of field citations resolved	None	Docket	ACTY=e	APGM #272

FY 2000/2001 EPCRA RECAP Measures:

Measure Code	Measure	New Reporting	Data Source	Key Data Fields	Reason for Measure
EPCRAINV	Total Number of Investigations	None	Manual		NPMS Set 8/GPRA FY2001 Annual Performance Goal Measure 915
EPCRACC	Total Number of Citizen Complaints	None	Manual		NPMS Set 8

FY 2000/2001 EPCRA RECAP Measures:

Measure Code	Measure	New Reporting	Data Source	Key Data Fields	Reason for Measure
EPCRAINS-1	# of EPA EPCRA 313 Non-Reporter Inspections	None	NCDB ⁵	Investigation Type: EEA EPCRA, Enforcement, SEE Conducted EEF EPCRA, Enforcement, Federal Conducted	GPRA/Annual Performance Goals Measure (APGM) #275
EPCRAINS-2	# of EPA EPCRA 313 Data Quality Inspections	None	NCDB	Investigation Type: EDA EPCRA, Data Quality, SEE Conducted EDF EPCRA, Data Quality, Federal Conducted	APGM #275
EPCRAINS-3	# of EPA EPCRA 311/312 inspections	None	manual or from NECTAR	Break out Federal Facility and Non-Federal Facility.	APGM #275
EPCRAINS-4	# of EPA EPCRA 304 and CERCLA 103 Inspections	None	manual or from NECTAR	Break out Federal Facility and Non-Federal Facility.	APGM #275

EPCRA Enforcement Outputs: Notices of Violation

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comments	
EONOVE	# of Federal NONs in the EPCRA 313 Programs	None	FTTS through NCDB	NON (Notice of Noncompliance) FNN (Federal Notice of Noncompliance)	NPMS Set 9

⁵NCDB captures information from the regional FTTS databases.

FY 2000/2001 EPCRA RECAP Measures:

Measure Code	Measure	New Reporting	Data Source	Key Data Fields	Reason for Measure
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EPCRA Enforcement Outputs: Consent Decree Tracking

Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comment	Reason for Measure
EPCRACDE1	# of Active Consent Decrees (by media)	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/CDETS	CDETS-Quarterly Compliance Report. SPMS Data Report	OECA Management
EPCRACDE2	# of Active Consent Decrees in Compliance	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/CDETS	OCOM=Y	OECA Management
EPCRACDE3	# of Active Consent Decrees in Violation where formal enforcement action has commenced	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/CDETS	OCOM=T	OECA Management
EPCRACD4	# of Active Consent Decrees in violation with formal action planned but not commenced	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/CDETS	OCOM=P	OECA Management
EPCRACD5	# of Active Consent Decrees in violation with no formal enforcement action planned or necessary	Entry into Docket's Consent Decree Tracking System (CDETS) is now required	Docket/CDETS	OCOM=V	OECA Management

EPCRA Federal Enforcement Outputs: Civil Case Initiations

FY 2000/2001 EPCRA RECAP Measures:

Measure Code	Measure	New Reporting	Data Source	Key Data Fields	Reason for Measure
Measure Code	Measure	New Reporting	Data Source	Key Data Fields/Comments	
EOCIEPC0	# of Notices of Determination	Yes	Docket	New field in docket, should replace federal use of FTTS field CCA–Civil Complaint Audit Policy ACTY=G	GPRA/FY 2001 Annual Performance Goals Measure (APGM) #272
EOCIEPC1	# of civil judicial referrals	None	Docket	CDOJ Includes multi-media and multi-facility credits	APGM #272
EOCIEPC2	# of administrative penalty order complaints	None	Docket	ACTY=b Includes multi-media and multi-facility credits	APGM #272

ECPR A Enforcement Outputs: Civil Case Conclusions

Measure Code	Measure	New Reporting	Data Source	Key Data Fields	Reason for Measure
EOCCEPC1	# of civil judicial cases concluded	None	Docket	ACTY=a CCNC	APGM #272
EOCCEPC2	# of compliance orders (non-penalty)	None	Docket	ACTY=f	APGM #272
EOCCEPC3	# of final administrative penalty orders issued	None	Docket	ACTY=b	APGM #272
EOCCEPC4	# of final federal facility compliance agreements issued	None	Docket	ACTY=d	APGM #272